

CITY OF ABERDEEN
PLANNING COMMISSION MEETING
MINUTES

Wednesday, June 8, 2011

A meeting of the Aberdeen Planning Commission was called to order at 7:00 p.m., June 8, 2011, in the Council Chambers by Chairman Swisher.

MEMBERS PRESENT: Chairman Swisher, Commissioners Braerman, Heavey, Hersh, Kosko, Preston, and Schlottman.

OTHERS PRESENT: Councilwoman Ruth Ann Young, acting City Council liaison (sitting in for Councilwoman Sandra Landbeck)
Phyllis Grover, Director of Planning & Community Development
Matt Lapinsky, Director of Public Works (DPW)
Lt. Kirk Bane, Aberdeen Police Department
Gil Jones, Recording Secretary

The minutes of the May 11, 2011, meeting were approved with minor corrections.

Mrs. Grover introduced Lt. Kirk Bane as the new Aberdeen Police Department liaison to the Planning Commission.

AGENDA ITEMS:

1. **Review of Preliminary Site Plan for Grace United Methodist Church expansion**
Location: 110 & 114 West Bel Air Avenue, corner of South Parke Street (Map 205, Parcels 890 and 891).

Representatives: Ted Jasinski and Jennifer Leonard, Frederick Ward Associates.

Mr. Swisher indicated he is a member of Grace United Methodist Church, but still planned to chair the meeting if no one had any objection. No objections were expressed.

Ms. Leonard indicated the property is in a B-2 zoning district and is also within the City's Downtown Revitalization Overlay District. A variance was received from the Aberdeen Board of Appeals on May 23, 2011, due to the church being a non-conforming use in a B-2 zoning district, in order to add a kitchen addition. Parcel 890 is proposed for development into a macadam parking lot with 41 spaces. There will be stormwater management and bio-retention facilities provided. Additional landscaping will also be included. Parcel 891 will include the kitchen addition with additional screened Dumpster facilities.

Mr. Swisher confirmed the two items being sought are for the parking lot and the kitchen expansion. Ms. Leonard said that is the case, along with some handicap accessibility

improvements that Mr. Jasinski will speak to. Mr. Lapinsky asked if the kitchen is to be expanded or re-located. Ms. Leonard said the kitchen would be re-located into the new addition.

Mr. Jasinski reviewed the eight separate small projects to be eventually undertaken by Grace in order to upgrade the accessibility of the church. Those items include a handicap ramp on the South Parke Street side; a new elevator inside the existing internal courtyard; conversion of a janitor's closet into a new handicap-accessible restroom; upgrading of existing toilet fixtures; a new kitchen addition; heating and air conditioning upgrades in the older rear part of the church building; a new parking lot; and an accessible entrance for daycare and handicap access from the new parking lot. Mr. Swisher asked what would happen to the existing kitchen space. Mr. Jasinski said it would become part of the expanded fellowship hall. Also, the additional landscaping requested by the Aberdeen Architectural Review Committee (ARC) would also be provided.

Mrs. Grover indicated this project went through ARC review and also received approval from the Board of Appeals (Case #631). She asked that Note 9 of the plan be changed to reflect that the variance was received, that there be an addition to Note 4 indicating this project to be in the Aberdeen Wellhead Protection Zone 2, and a change to Note 6 inserting "Chapter 235" before "Section 40."

Mr. Lapinsky read into the record the comments from the Department of Public Works, to wit: (1) Show addresses for both the church lot and the adjacent lot; (2) Provide 3 grid ties in multiples of 250 feet; (3) Label the type of surface between the existing church and the proposed parking lot; (4) Show the stormwater management outfall; (5) Show and label the existing 8-inch sewer in Buchanan Alley; (6) Provide certified water usage calculations for the proposed building and include existing church usage; (7) Show location of existing water and sewer services to the existing church; (8) Add note stating "Existing water meter to be retro-fitted with an RF Head E-Coder R900i;" (9) Add note stating "The existing church water service backflow preventer will be tested by a certified contractor;" (10) Add note stating "The approval and signing of this plat by the City of Aberdeen in no way guarantees the availability of water or sewer service to the property at the time of development;" and (11) add note stating "Condition of approval: No building permits shall be issued for any lot whereby that lot's anticipated flow at the time of building permit application would cause the City's systems (water and/or sewer) to exceed its rated capacity." Mr. Lapinsky added that for item (6) current and future fixture counts need to be provided, and for item (9) if there is currently no backflow preventer, one will need to be installed.

Mrs. Grover asked for elaboration of the parking lot ingress and egress off Buchanan Alley and West Bel Air Avenue (WBA). Ms. Leonard said the primary access would be off WBA. Both WBA and alley entries will be modified to create curbed sections on both ends. Mrs. Grover asked if the State Highway Administration (SHA) had been contacted. Ms. Leonard said there is a letter in to the SHA. Mrs. Grover asked how many spaces along WBA would be lost. Ms. Leonard said 4, but you would gain 40 spaces on-site, to be shared with the community.

Mr. Hersh asked for confirmation that the spaces would be open for access by the community. Mr. Jasinski said the church is willing to make the lot available during the week. There are very few spaces needed during the week by the church, mostly for day care operations and teachers. Grace is also willing to post signage to this effect.

Mrs. Heavey asked about specifics of the addition. Mr. Jasinski said the existing church is 2-story, but the proposed addition would be 1-story, with a height of 12 to 14 feet to the peak of the roof and 9-foot ceilings. There will be brick detail to match the rest of the church, with a later addition of a brick façade and a flat roof. Mrs. Heavey asked if the later addition would match the present height. Mr. Jasinski said the feasibility study done for this project shows this to be the case.

Mr. Braerman asked for clarification as to the size of the addition. Mr. Jasinski said it would be 800 square feet, 20-feet by 40-feet.

Mr. Schlottman expressed concerns over having the parking lot discharge onto WBA. He asked if there were any comments from the SHA. Ms. Leonard said none have been received to date. Mr. Schlottman felt that emptying onto WBA might be an issue considering the proximity to the traffic light. Ms. Leonard said it was felt this a discharge point here would be beneficial to the public and provide greater visibility. Mr. Schlottman felt that you could go off Buchanan Alley to Parke or Rogers Streets. Councilwoman Young opined that perhaps one solution could be to have a right turn only onto WBA when exiting. Mr. Swisher also felt there to be a problem with dumping traffic onto WBA.

Mr. Hersh felt the business owners would be ecstatic to get an additional 37 parking spaces. He sees this as a win-win situation. The added spots would be good for downtown and for retail traffic.

Mr. Swisher asked why the kitchen addition would have a flat roof. Mr. Jasinski said the church requested it and it also matches the rest of the proposed adjacent building. Modern roofing technology makes this feasible.

Mrs. Kosko asked Mrs. Grover about the line in the ARC summary about “tree-planting help from the forest conservation fee-in-lieu-of fund.” Mrs. Grover said this referred to the planting of street trees; there is no need for forest conservation measures for this project.

Motion by Mrs. Kosko, seconded by Mr. Hersh, to approve the plan, with incorporation of staff comments. Mrs. Heavey asked that SHA comments also be included in the motion. Mrs. Kosko amended her motion to include SHA comments, also seconded by Mr. Hersh. Motion passed unanimously.

2. Review and discuss final draft of Chapter 475, Subdivision Regulations, Code of the City of Aberdeen

Mrs. Grover indicated the document before the Commission addresses and incorporates previous Planning Commission comments. She would like to move this forward to the City Council for approval.

Mrs. Kosko asked if there were any significant changes to the document as a result of these comments. Mrs. Grover said there were not.

Mrs. Heavey had several comments that the Commission reviewed and as a result made amendments to some of the regulatory language. Additional discussion dealt with the nature and necessity of administrative changes, the Harford County Road Code, infill and minor subdivisions, new State stormwater management regulations, and expression of coordinate values.

Mr. Braerman asked about the capacity analysis chart shown on page 25. Mrs. Grover said this chart is referenced in the Transportation Element of the Comprehensive Plan. Mr. Braerman felt this should be referenced back to the Transportation Element, as it's not clear as to what's being referenced. He also expressed concern over the accident history sentence on page 25 of the regulations and feels that accident history should be a required consideration, not optional as indicated in the current wording.

Mr. Swisher said he would like to see the City institute and contract for the traffic studies for a given project, since all the one's he's seen say "no problem," but now we're starting to see problems in some areas. The developer would pay for the study. Mrs. Grover said this is currently done on annexation agreements, so such language could be added to this document without any problem. Mr. Swisher asked for the opinion of the other Commission members on this issue. The consensus of the Commission was one of agreement. Mr. Hersh agreed, but expressed concern over using the same traffic engineer for repeated projects, that this may introduce an element of bias over time. Mr. Lapinsky indicated that a bidding process could be put in place whereby the three or four low bidders could be selected and utilized on a rotating basis. Mr. Swisher basically wants to know what needs to be done to the roads in the wake of new development. This should be in the form of a recommendation to improve traffic flow, instead of just a bunch of numbers. Mrs. Kosko suggested adding something to the effect that the City reserves the right to hire a traffic engineer. Mr. Lapinsky indicated the developer could see the initial report and weigh in accordingly, so as to make the process transparent. Mr. Swisher and Mr. Lapinsky agreed they have yet to see a traffic study that says there would be an impact to current traffic levels.

Audience member Katin Patel, 909 Barnette Lane, Aberdeen, was granted the floor and felt that one traffic study per year should be done for all the intersections, instead of piecemeal considerations when new development is proposed.

Mrs. Kosko asked why there are two separate areas in the proposed regulations speaking to streets (Sections 475-10 and 475-14). Discussion ensued over the difference between street layout, design, and construction, and specificity of the two sections. Mrs. Grover will re-word the sections to make them more specific as to the intent of each section.

Motion by Mrs. Kosko, seconded by Ms. Preston, to approve the final draft of Chapter 475, Subdivision Regulations, and send it to the Mayor and City Council, incorporating the comments and changes made on Sections 10 and 14 regarding streets. Motion passed unanimously.

Per request of the Commission, the members will be sent a copy when submitted to the Mayor and City Council for approval.

At this point, the Chairman called for a 5-minute break.

3. Review and discuss proposed amendments to Chapter 470, Streets and Sidewalks, Code of the City of Aberdeen

Mrs. Heavey expressed concern that we are adopting the Harford County Road Code with amendments. She asked how the City would keep up with future amendments as expressed by the County and how the City would adopt them if necessary. Mr. Lapinsky said he would review the updated County Code and make any necessary amendments, as is done with the County materials lists that change each year. He is looking to make changes in order to achieve consistency between the City and County as much as possible, but at the same time maintain specific procedures and processes that the City has found to work best for its needs.

Mrs. Heavey felt that since the County Road Code is over 500 pages long, it would be nice to have a brief overview of that Code presented either to the Planning Commission or at a City Council meeting. Discussion ensued over the Road Code, engineering issues, the scope of Planning Commission review, and references back to the County Code from the City Code. Mrs. Heavey expressed concern that this document is the first iteration presented to the Commission, that previous versions of the Subdivision Regulations were presented, but not so for the Street and Sidewalk Regulations.

Turning to proposed Section 470-16, Maintenance of sidewalks by property owner, Mrs. Heavey expressed concern over the sentence whereby the owner is deemed responsible for “actual structural repair.” She felt this sentence should be removed; Mr. Braerman and Ms. Preston joined in that opinion. Discussion of this paragraph ensued, especially over when a sidewalk is considered new and not new, and homeowner’s association responsibilities.

Councilwoman Young asked that “grass” be added to the language in Section 470-17, Throwing or sweeping litter into streets and sidewalks.

Mr. Swisher said he did not like the sidewalk language, that when the sidewalk is in the right-of-way, the owner shouldn’t have to repair it. He also feels Section 470-17 should be embellished to speak to things such as trash and fines.

Mr. Hersh asked who should be responsible for sidewalk repair if not the owner. Vigorous discussion ensued over who should pay for repairs, the nature of sidewalk damage, how the sidewalk was damaged, normal wear and tear of the sidewalk, and repairs of sidewalks by homeowners. Mrs. Kosko feels the Commission should look at some solutions and recommendations for further discussion.

Mrs. Grover asked that everyone’s comments be sent to her and the other Commission members for consideration and discussion at the next Planning Commission meeting.

4. Review 2010 Annual Report for the Planning Commission and Department of Planning and Community Development

Mrs. Heavey indicated the report only addresses those items that were approved by the Planning Commission, and not issues of site plans not approved, such as Normandy Woods apartments. Mrs. Grover said this is because the Maryland Department of Planning (MDP) only wants to see

those items that are approved – “specific development actions,” as stated in their letter. This is due to what MDP now calls for due to the change in the reporting law; the report is due to MDP by July 1, 2011. Mrs. Heavey felt this could include all items, whether approved or not. Mrs. Grover indicated the reporting of Board of Appeals actions is no longer required. Mrs. Kosko reminded everyone that since the law has changed there is a different mindset – results oriented instead of actions oriented. Mr. Swisher said we never receive any feedback on these things.

Motion by Mrs. Kosko, seconded by Ms. Preston, to approve the report with slight changes in numbering and ordering. Motion passed unanimously.

5. Other Business

Comprehensive Plan and Zoning Map - Mr. Swisher asked when the Plan and Map would be presented to the City Council for approval. Mrs. Grover said approval of the Comprehensive Plan by the Council is planned for June 13, 2011, with consideration and approval of the updated Zoning Map to follow shortly thereafter.

Planning Commission meeting for July – Mrs. Grover asked if there would be a quorum in order to hold a Planning Commission meeting in July, if necessary. She indicated there have not been any submissions received for consideration by the Commission, so a meeting may not be needed anyway. After some discussion, it was determined that the Commission would not meet in July. Four members indicated they would be available, so if any emergency issues arose they could conceivably be dealt with as necessary.

There being no further business or public comment, the meeting was adjourned at 8:50 p.m.

Planning Commission Chairman

Recording Secretary

Date of Approval